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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

TONG YANG, Decedent, by and through his) Case No. 2:23-00066-TLN-JDP
successors in interest, et al.,)
) STIPULATION AND ORDER FOR THE
Plaintiffs,) FILING BY PLAINTIFFS OF A THIRD
) AMENDED COMPLAINT
vs.) SUBSTITUTING IN CALIFORNIA
) FORENSIC MEDICAL GROUP, INC.
COUNTY OF YUBA, et al.,) FOR ONE PREVIOUSLY NAMED DOE
) DEFENDANT
Defendants.)
)

Plaintiffs, Defendant COUNTY OF YUBA, Defendant ISMAEL RAMOS, Defendant CHRISTINA BOETS, MFT, and Defendant TAYLOR FITHIAN, MD (“the Parties”),¹ by and through their undersigned counsel of record, respectfully stipulate as follows:

Information that came to light after the bankruptcy proceedings of Defendant Wellpath, LLC, indicates that California Forensic Medical Group, Inc. (“CFMG”) is a required party under

¹ The Parties to this stipulation do not include Defendant WELLPATH, LLC, based on its status in this case post-bankruptcy.

1 Federal Rule of Civil Procedure 19(a), who should be substituted in for DOE Defendant 1. CFMG
2 is a separate entity from Defendant WELLPATH, LLC.

3 Based on its status in this case after the conclusion of the bankruptcy proceedings,
4 Defendant WELLPATH, LLC, is a nominal defendant that is not participating in this litigation.
5 The parties, by and through their undersigned counsel, do not believe that it is necessary for
6 Defendant WELLPATH, LLC, to be a signatory to this stipulation to add CFMG as a Defendant,
7 pursuant to Federal Rules of Civil Procedure 15(a)(2) and 19(a), nor is it necessary for Defendant
8 WELLPATH, LLC, to be a signatory to this stipulation to effectuate the other purposes of
9 modifying the capacity in which Plaintiffs are asserting claims and removing Plaintiffs CHUE
10 DOA YANG and MAI THAO YANG.

11 Additionally, in the proposed Third Amended Complaint, Plaintiffs L.Y., a minor, by and
12 through his guardian ad litem, Kelly Yang, NATALIE YANG, NINA YANG, KACIE YANG,
13 MIKE YANG, DYLAN YANG, and DARREN YANG are not going to assert individual claims
14 of wrongful death under both California state law and the Fourteenth Amendment. These plaintiffs
15 will only assert the survival claims belonging to Decedent TONG YANG as co-successors in
16 interest to Decedent TONG YANG. Additionally, no claims will be asserted by Plaintiffs MAI
17 THAO YANG and CHUE DOA YANG (whom counsel recently learned passed away). As such,
18 MAI THAO YANG and CHUE DOA YANG will no longer be named Plaintiffs.

19 Lastly, the proposed Third Amended Complaint is updated in other respects to conform to
20 the Court's ruling on the County Defendants' motion to dismiss.

21 **WHEREFORE**, to effectuate the foregoing, the Parties respectfully stipulate, pursuant to
22 Federal Rule of Civil Procedure 15(a)(2), that Plaintiffs may file a Third Amended Complaint,
23 which will: (1) identify California Forensic Medical Group, Inc., in place of DOE Defendant 1;
24 (2) assert only the survival claims belonging to Decedent TONG YANG by Plaintiffs L.Y., a
25 minor, by and through his guardian ad litem, Kelly Yang, NATALIE YANG, NINA YANG,
26 KACIE YANG, MIKE YANG, DYLAN YANG, and DARREN YANG in their capacities as co-
27 successors in interest; (3) remove CHUE DOA YANG and MAI THAO YANG as Plaintiffs; and

(4) otherwise update the complaint to conform to the Court's ruling on the County Defendants' motion to dismiss.

IT IS SO STIPULATED AND AGREED.

Respectfully submitted,

DATED October 3, 2025

LAW OFFICE OF SANJAY S. SCHMIDT,
HELM LAW OFFICE, PC, and
GRACE JUN, ATTORNEY AT LAW

/s/ Sanjay S. Schmidt

By: SANJAY S. SCHMIDT
Attorneys for Plaintiffs

DATED October 3, 2025

PORTER SCOTT
A PROFESSIONAL CORPORATION

By /s/ Matthew W. Gross*

Carl L. Fessenden
Matthew W. Gross
Attorneys for Defendants
County Of Yuba and Ismael Ramos

DATED October 3, 2025

GORDON REES SCULLY
MANSUKHANI

By /s/ Kendra Stark*

Allison Becker
Lindsey Romano
Kendra Stark
Attorneys for Defendants
Wellpath, LLC, Christina Boets MFT, and Taylor
Fithian, M.D

*Mr. Gross and Ms. Stark consented that this document be filed by CM/ECF.

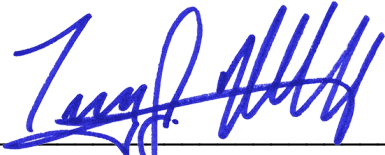
ORDER

GOOD CAUSE APPEARING THEREFOR, and the Parties having stipulated to the same, the Parties' stipulation is hereby APPROVED.

IT IS HEREBY ORDERED that, pursuant to Federal Rule of Civil Procedure 15(a)(2), Plaintiffs may file a Third Amended Complaint, as set forth above in the Parties' stipulation.

IT IS SO ORDERED.

Dated: October 3, 2025



Troy L. Nunley
Chief United States District Judge